

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

Plaintiff,

Case No. 09-CR-043-SPF

v.

LINDSEY KENT SPRINGER,
OSCAR AMOS STILLEY

Defendants

MOTION TO DISQUALIFY, RECUSE, REMOVAL AND RANDOM ASSIGNMENT

Lindsey Kent Springer ("Springer") without an internal revenue district encompassing anywhere in the State of Oklahoma, moves (A) to Disqualify the Honorable Stephen P. Friot United States' Western Oklahoma District Court Judge from 09-cr-043 pursuant to Title 28, Sections 455(a) due to partiality, 455(b)(1) due to prejudice, (B) for recusal based upon Stephen P. Friot's lack of jurisdiction outside the geographical boundaries set to his commission at Title 28, Sections 116(c), 132, 133, 134 and 451, (C) removal from holding district court in the Northern Oklahoma Judicial District Court in 09-cr-43 and (D) random reassignment by a District Court Judge competent, de jure, and commissioned in the United States' Northern Oklahoma Judicial District.

ISSUES PRESENTED

1. Is Stephen P. Friot a commissioned Article III Judge within the jurisdiction of Title 28, Section 116(a) boundaries and appointed to the United States'

Northern Oklahoma Judicial District Court?

2. Does Chief Judge Claire V. Eagan have any Article III judicial power or other lawful authority to “assign” Stephen P. Friot to exercise Article III inferior Court judicial power and authority within the United States’ Northern Oklahoma Judicial District Court?
 3. Does Misc.# 23 designate Stephen P. Friot to 09-cr-043 or for any other specific public interest or temporarily to hold an Article III Judicial Court other than of his commission?
 4. Should Misc. # 23 be held not a lawful exercise under Title 28, Section 292(b) and therefore invalid?
 5. Did Congress tender to Chief Judge of a circuit Court, or Chief Judge of an Article III Judicial District Court, outside the District of Columbia, any Authority to appoint and assign any inferior commissioned officer to hold court outside the District Court of his or her commission?
 6. Is the Assignment of Stephen P. Friot by Chief Judge Eagan unconstitutional?
- Springer filed an affidavit and certification of counsel under Title 28, Section 144, and files simultaneously herewith a brief in support of this Motion, with attachments.

Respectfully Submitted
/s/ Lindsey K. Springer
Lindsey K. Springer
5147 S. Harvard, # 116
Tulsa, Oklahoma 74135
918-748-5539/955-8225(cell)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Lindsey Kent Springer's
Motion to Disqualify, Removal, Recusal and Random Reassignment was ecf'd on
December 28, 2009 to:

Kenneth P. Snoke,
Charles O'Reilly,
Oscar Stilley

/s/ Lindsey K. Springer
Signature